

RICHARD C LEVIN



Employment:

Richard Levin Arbitration LLC – Dallas, Texas – London, England
Principal, April, 2018 to date
richard@richardlevinarbitration.com, www.richardlevinarbitration.com

Akin Gump Strauss Hauer & Feld LLP – Dallas, Texas
Partner, 1978 to April, 2018 (Litigation)
Associate, 1974 to 1977 (Litigation)

Practice involves all phases of international and domestic arbitration having numerous arbitrations under ICC, LCIA, Uncitral, AAA/ICDR, and ICSID rules, both as counsel and as member of three-person arbitration tribunals (AAA/ICDR and ICC), as well as sole arbitrator of many arbitrations (ICC, ICDR, AAA).

Recent engagements include acting as:

- Member of three person AAA tribunal alleging breach of several multi-party contracts relating to the exploitation of patent rights (Large, Complex Commercial Procedures).
- Sole arbitrator in complex ICDR/AAA (Large, Complex Commercial Procedures) case involving multiple technology and purchase agreements for an entertainment concept of world wide dimension. Case involves claims under several antitrust and competition regimes (Texas, US, and foreign) as well as intellectual property and contract interpretation issues. Award Issued.
- Sole arbitrator in AAA case involving significant account issues between motion picture distributor and production company. Pending.
- Sole arbitrator in complex ICDR/AAA (Large, Complex Commercial Rules) case between major law firm and large electronics firm. Case involves issues of contract interpretation, IP, and antitrust issues (including the FRAND doctrine), as well as appropriate and reasonable law firm behavior, involving scope of work and billing issues under ethics rules. Award issued.
- Lead counsel for a major oil company in large RICO action filed against the client involving ownership of metallocene technology. Case won on motion prior to trial.
- Lead counsel for large French industrial company in business tort dispute in powder metallurgy industry. (More than \$1B damages alleged in several expert reports). Case won by summary judgment.
- Lead counsel in major ICC arbitration (Geneva) involving failed joint venture in Argentina (construction industry). Case presented under Argentine law. Award issued favorably.

- Lead counsel in large intellectual property ICC arbitration in London (off-road vehicle industry). Case settled favorably after several rounds of memorials, discovery under the IBA Rules on Taking Evidence, and expert testimony on antitrust and competition law defense before hearing on merits.
- Lead counsel involving a challenge to a merger by the Department of Justice between a large French industrial company and a US company involving a Second Request. Involved cross cultural issues of privilege, language, and presentations to the Department of Justice, as well as expert presentations. The result was a favorable early termination of the waiting period with no divestitures.
- Lead coordinating counsel for cases in Europe and the US involving an estate and business entities brought by the heir seeking ‘forced heirship’ under French law, including allegations of ownership relating to a villa in the South of France and allegations relating to an historical donation of art to an international museum.
- Lead counsel for local government entity in Mexico for claim asserted for loss of government concession under Chapter 11 of the Nafta Treaty under ICSID rules.
- Sole arbitrator under AAA/ICDR Rules of a major complex dispute in the animal and livestock health products industry, involving antitrust, intellectual property and contractual issues. Case included numerous discovery matters and hearing on the merits, after which an award was issued.
- Arbitrator in several disputes under AAA, ICDR, and ICC aegis.

Sullivan & Cromwell – New York
Associate, 1971 – 1974 (Litigation)

International Arbitration Activities:

Member, Panel of International Arbitrators for the International Centre for Dispute Resolution (ICDR), ICC and LCIA (London), roster of neutrals for the AAA, LCIA (London), HKIAC (Hong Kong), KCAB (Korea), the World Intellectual Property Organization (WIPO), VIAC (Vienna), ICC (Paris and New York), KLRCA (AIAC) (Kuala Lumpur), VCCA (Vilnius), LAC (Lithuania), CRCICA (Cairo), Arbitration Center at the Institute of Modern Arbitration (Moscow), BCICAC (International and Domain Name Panels of the British Columbia International Commercial Arbitration Centre), Energy Arbitrator Roster for the Center for American and International Law (Cailaw)

Appointed to Arbitration Panel of the new Court of Arbitration for Art in the Netherlands

Named Fellow of the Chartered Institute of Arbitrators (FCI Arb), selected to be a Chartered Arbitrator in 2018 (C Arb), and member of the CI Arb’s Presidential Panel of Arbitrators.

Member, ICC Commission on Arbitration

Named to the Tech List at the SVAMC (Silicon Valley) listing the “world’s leading technology neutrals.”

Selected to be in the Euromoney Expert Guides to “Commercial Arbitration Experts”

Profiled on the Global Arbitration Review Arbitration Research Tool (GAR ART)

Listed in “The Roster of International Arbitrators,” 2nd Ed (Smit, Carbonneau and Mistelis, Juris Publishing)

Member, Institute Pour L’Arbitrage International (IAI), a French organization for attorneys who specialize in international arbitration

Member Association Suisse De L’Arbitrage, (2006) to present

Member, LCIA User’s Council

Member, International Council for Commercial Arbitration (ICCA)

Member, Arbitration Commission of the International Chamber of Commerce (ICC 2005-7); Task Force on Arbitrating Competition Disputes (2008): Task Force on Reducing Time and Expense in Complex Arbitrations (2009-10)

Member, Advisory Board of the Institute for Transnational Arbitration (ITA)

Publications and Speeches:

Webinar, SVAMC, ADR for Antitrust: To Streamline a Complex Dispute, with Chris Compton, September 1, 2020.

Richard Levin, “Pandemic Arbitration, A Time to Sow?”, Kluwer Arbitration Blog, July 21, 2020, http://arbitrationblog.kluwerarbitration.com/2020/07/21/pandemic-arbitration-a-time-to-sow/?doing_wp_cron=1595366656.1486470699310302734375

Richard Levin, “On Arbitration of Competition Disputes: A Tribute to Mitsubishi”, 73 Dispute Resolution Journal 39 (2019).

Richard Levin, “On Arbitrating Antitrust/Competition Disputes”, Kluwer Arbitration Blog, August 20, 2018, Part 1, <http://arbitrationblog.kluwerarbitration.com/2018/08/20/on-arbitrating-antitrustcompetition-disputes/>; Part 2, <http://arbitrationblog.kluwerarbitration.com/2018/08/20/arbitrating-antitrustcompetition-disputes-ii/>.

Richard Levin, “Thoughts on Making Arbitration Great Again,” Kluwer Arbitration Blog, November 7, 2017, <http://arbitrationblog.kluwerarbitration.com/2017/11/07/trump-isds-stiglitz/>

Richard Levin, “Privilege and International Arbitration”, Kluwer Arbitration Blog, August 14 2017, <http://kluwerarbitrationblog.com/2017/08/14/privilege-international-arbitration/>

“The treatment of US Antitrust and EC Competition Law in International Arbitration – A Handbook for Practitioners”, Chapter 18: U.S. Enforcement Issues and U.S. Antitrust Law (G. Blanke and P. Landolt eds, W. Kluwers, 2011)

April, 2007, guest lecturer on International Arbitration in International Law Course at SMU School of Law, Dallas, Texas.

“Certain Procedural Issues in Arbitrating Competition Cases,” *Journal of International Arbitration*

with Liebscher, Kurkela and Somer, Vol 24, No 2 (April, 2007)

“International Arbitration of Antitrust Claims,” Richard C. Levin and Gregory Laird, *The Metropolitan Corporate Counsel*, Vol II. No 5, May 2003

“NAFTA Chapter 11: Investment and Investment Disputes,” Richard C Levin and Susan Erickson Marin, 2 NAFTA L & Bus Rev. Am. 82 (Summer 1996)

April 1992, Dallas Bar/International Section: “International Arbitration From the Litigator’s Perspective” (Speech)

April 1991, State Bar of Texas/Advanced International Litigation and Arbitration Course: “Point Counterpoint: Arbitration or Litigation” (Seminar)

July 1990 State Bar of Texas/International Law Section Newsletter: “International Chamber of Commerce Commercial Arbitration – An Overview” (Article)

June 1979, State Bar of Texas/Antitrust Journal: “Shopping Centers and the Rule of Reason” (Article)

“Structural Reciprocity: A New Approach to Conglomerates,” 58 Geo. L.J. 609 (1969-1970) (Student Note)

Pro Bono Activity:

Substantial practice assisting children with learning difficulties in legal issues with schools and school institutes. Member of COPAA (Council of Parents, Attorneys, and Advocates)

Civic Work Includes:

President’s Advisory Council, Dallas Center for the Performing Arts: Former Member, Executive Board, Dallas Opera; Member, Board of Directors, Dallas Opera; Member, Board of Directors, American Friends for the Salzburg Music Festival; Member, Board of Governors, Dallas Symphony

Member, seven person “Building Committee” for the Meyerson Symphony Hall, whose work includes the selection of architect and acoustician, visiting concert halls at home and abroad and interviewing prospective consultants, and acting as owner’s representative in the construction of the hall

Member, Corporate Committee of the Dallas Museum of Fine Arts

Former Member and First Vice-President, Board of Trustees, Historic Preservation League

Former Member, Landmark Committee, City of Dallas

Member, Board of Trustees, Arts Magnet School

Former Member and Deputy Vice-Chairman, Management Committee, Arts District in Dallas, a seventeen person board to oversee and approve applications for construction in the Arts District area of Downtown Dallas

Chairman of thirteen people Task Force to investigate the feasibility of a Multi-Purpose Performing Arts hall for the Dallas Opera and Dallas Ballet

Leadership Dallas, Class of 1993.

Education:

J.D., 1970 Georgetown Law Center

Georgetown Law Journal, Law and Policy in International Business

B.A., 1967, Tulane

Summer Clerkships in Law School:

Arnold & Porter, 1968 – Washington, D.C.

Antitrust Division, U.S. Dept. of Justice, 1969 – Washington, D.C.

(Received award for most outstanding summer clerk)

Judicial Clerkship:

Honorable John C. Godbold, U.S. Court of Appeals, Fifth Circuit, 1970 - 1971.

Bar Membership:

Texas (1975 to present)